IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELATE JURISDICTION

WRIT PETITION NO.4217 OF 2007

Shri.Ganpat Laxman Kamble ...Petitioner.

vs.

1.Shri.Baban Maruti Shirke
and others. ...Respondents.

Mr.Anilkumar Patil, for Petitioner.

CORAM: D.K.DESHMUKH &

DATED: 9th July,2007.

P.C.:-

Heard the learned Counsel appearing for the petitioner. The order of the Appeal Court vacating the order of temporary injunction granted in favour of the petitioner is challenged in the petition. From the order of the Appeal

Court it appears that the entire order turns on the appreciation of facts on record. The appeal Court has found that the plaintiff has come to the Court with a false case that he applied for permission for construction of shed to village panchayat. The village panchayat report shows that no such application for permission to erect tin shed was moved by the plaintiff. The findings are essentially the findings of facts which are recorded by the Appeal Court after considering the material produced on record. In my opinion, the petition cannot be entertained. The petition is disposed of.

(D.K.DESHMUKH, J.)